

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ASPEN SPECIALTY INS. CO. : CIVIL ACTION
: :
v. : :
: :
HOSPITALITY SUPPORTIVE : :
SYSTEMS, LLC : NO. 16-1133

ORDER

AND NOW, this 9th day of June, 2016, upon consideration of defendant Hospitality Supportive Systems, LLC’s (“HSS”) motion to dismiss Counts I and II of plaintiff Aspen Specialty Insurance Company’s (“Aspen”) complaint pursuant to Fed. R. Civ. P. 12(b)(6), or in the alternative, for a more specific pleading under Fed. R. Civ. P. 9(b), and HSS’s request that we decline to exercise jurisdiction over Counts III, IV, and V of Aspen’s complaint where the plaintiff seeks declaratory relief (docket entry # 12), and for the reasons stated in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant’s motion to dismiss Counts I and II of the complaint pursuant to Fed. R. Civ. P. 12(b)(6) is DENIED;
2. Defendant’s motion for a more specific pleading under Fed. R. Civ. P. 9(b) is DENIED; and
3. Defendant’s request that we decline jurisdiction over Counts III, IV, and V of Aspen’s complaint is DENIED.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.